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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/941,680	08/30/2001	Koubun Suzuki	212557US-2	9223

22850 7590 10/21/2005

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

BRUCKART, BENJAMIN R

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 10/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief	Application No. 09/941,680	Applicant(s) SUZUKI ET AL.	
	Examiner Benjamin R. Bruckart	Art Unit 2155	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 07 October 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: None.

Claim(s) objected to: None.

Claim(s) rejected: 1-41,43-100 and 102-109.

Claim(s) withdrawn from consideration: None.

AFFIDAVIT OR OTHER EVIDENCE


8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____

13. ☐ Other: _____


SALEH NAJJAR
 SUPERVISORY PATENT EXAMINER

Continuation of 11. does NOT place the application in condition for allowance because: Applicant didn't submit a current version of the claims with status identifiers but did make mention in his remarks that no changes to the claims were made.

With regards to the 112, second paragraph rejection on claims 1, 11, and 25. The examiner maintains his rejection. "an initiating apparatus" is vague and indefinite and needs to be further defined. What is the apparatus initiating? Joining or leaving? Similarly with "related information" applicant has not defined how or why it is related. Further details here are needed. Similar for claim 2 the terminal units.

The prior art rejection of 103(a) with Fairchild and Fan:

Regarding claim 1, a remote control system configured to control a plurality of apparatuses divided into a predetermined number of groups including at least an image forming apparatus (Fairchild: col. 11, lines 3-30; col. 6, lines 62-67), comprising: a central control system comprising at least a computer unit configured to receive information from said plurality of apparatuses and remotely control said plurality of apparatuses based on said information (Fairchild: col. 6, lines 11-40); and an information collection unit configured to collect related information from all of said plurality of apparatuses included in all the groups except a group corresponding to an initiating apparatus when apparatus information is received by said central control system from said initiating apparatus of said plurality of apparatuses to be remotely controlled (Fairchild: col. 10, lines 56- col. 11, line 2; col. 6, lines 25-45; col. 15, lines 35-48).

The Fairchild reference teaches an apparatus for forming content to be browsed but does not explicitly state an image forming apparatus.

The Fan reference teaches a remote control system for controlling image forming apparatuses (Fan: col. 3, lines 64-col. 4, lines 34)

The Fan reference further teaches the reference allows remote monitoring and control of devices to alert personnel of preventive maintenance needs to reduce down-time and improve efficiency of repair (Fan: col. 3, lines 1-26).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of remote control system as taught by Fairchild while employing image forming apparatus as taught by Fan in order to use preventive maintenance to reduce down-time and improve efficiency of repair (Fan: col. 3, lines 1-26).

Claims 2-10 are rejected under the same rationale given above. In the rejections set forth, the examiner will address the additional limitations and point to the relevant teachings of Fairchild et al and Fan et al. .

Applicant argues that Fairchild, each management server "sends information via its corresponding subnet to the routers to inform the NPDs of server information" and that the claimed invention "network collects the information from the apparatuses."

Col. 6, lines 25-45 show the management server collects and saves the data. "The network" as argued is also an unembodied entity. The claim reads an information collection unit which is the management server in Fairchild or the monitoring server in Fan. The use of the term collecting data "periodically" can be done when someone wants to remotely control the device. The claim does not say "only" collecting when...

Applicant argues Fairchild does not teach collecting during initialization. Again this argument is applied to a broad limitation. The claim is not interpreted to trigger the server to collect information. The claim states the collection unit collects related information from all of the devices except the initiating apparatus and group when "it is received by ...". That claim does not read the way applicant is arguing it. Applicant is encouraged to further amend and clarify all these statements. It is still too broad and thus the prior art reads openly on the claims. triggering collection when information is received. Information is broad, it could be anything.

The claims are too broad and the prior art reads openly on it. Applicant is encouraged to further define terms like "information, related information, initiating apparatus and the conditions in which the limitations take place in much greater detail.